

REMARKS

Claims 1 - 9 are pending. Claims 8 and 9 are newly added. No new matter has been introduced and new claims 8 and 9 are supported by the specification.

Claims 1-7 have been rejected under 35 U.S.C. § 112, second paragraph. The Examiner has indicated that the “instant claims are indefinite because it is unclear what units the electric field intensity (E) is measured in as currently presented in the base claim.” “Electrical field intensity” is a surface potential per thickness of a photosensitive layer. In JP 1-065561 the potential corresponds to V_H (page 6, left upper column), and “initial surface potential SP1 was +700V” in Kawahara (col. 12, lines 12-17). In the present application the term “initial objective potential” is used (page 98, lines 12-13). Applicant believes this clarification should be sufficient for removal of the rejection.

Claims 1-7 have been rejected over JP 1-065561 in view of Kawahara et al. (U.S. Patent No. 5,821,021) and further in view of Yamazaki et al. (U.S. Patent Application Publication 2003/0054269). As a preliminary note, JP 1-065561 (“JP”) has another number, JP 64-065561. These are identical references. In preparation of this response, Applicant has used the latter reference as obtained by the Japanese Patent Office. The translation relied on by the Examiner does not appear correct and therefore Applicant is submitting with this response a partial English translation of what the Applicant believes is pertinent to the outstanding Office Action.

JP’s invention concerns phthalocyanine compound (please refer to the Abstract). Moreover, JP states “it is important that the phthalocyanine compound is incorporated in the CGL of the photoreceptor employed in the invention” (Page 5, left column). This clearly teaches away from the present invention. JP discloses that CGL thickness is 1 μm or more and preferably 2 μm , and in the range of 2-25 μm , CTL thickness preferably 2 μm or more (page 7, upper right to lower left), and total thickness of photosensitive layer is preferably 10-40 μm and more preferably 15-30 μm (page 7, lower left). The absolute value of the surface potential V_H is 500-900 V (page 6, upper left), as the Examiner indicated. DC bias is not concerns with the Electrical field intensity. Therefore, the

calculated Electrical field intensity is 12.5-90 V/ μ m. Examples are referred to for more practical outlook: Surface potential V_H is -600+-10 V; thickness of the photosensitive layer is 19 μ m at minimum (Example G) and 27 μ m at maximum (Example L or H); and the electric field intensity is 610/19=32.1 (Example G) or 590/27=21.9 (Example L or H) in V/ μ m. The closest example is Example G which recites a value of 32.1 V/ μ m, which is much lower than the value as claimed (50-100 V/ μ m) in the present application.

Thickness of the photosensitive layer disclosed in Kawahara is too broad; CGL is 0.01 to 10, particularly 0.1 to 5 μ m, and CTL is 1 to 100, particularly 5 to 50 μ m. The photosensitive layer is 20 μ m (Example 1 and 8), and the potential SP1 is +700 V (col. 12, lines 12-17). The calculated Electrical field intensity is 700/20=35 V/ μ m. This is also so much lower than the present invention as claimed. Applicant does understand that Kawahara discloses P-type CGM such as compound (4) at column 13, which belongs to Formula 1 of the present application.

Moreover, the Applicant does understand that Yamazaki discloses a toner that falls within the claims of the present application. However, Applicant submits that there is no suggestion or motivation to combine JP with Kawahara, **since JP is directed to phthalocyanine compound CGM and a lower electrical field intensity.** Even though Kawahara teaches the use of N-type CGM mixed with phthalocyanine, the teaching is merely just that, and no more, particularly electrical field intensity.

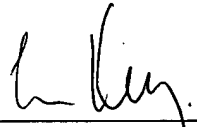
The Applicant conducted experiment to demonstrate that the prior art cited by the Examiner does not suggest the present invention. A declaration is co-filed herewith.

Withdrawal of the rejections and allowance of the claims is respectfully requested. Should the Examiner have any questions or concerns, the Examiner is invited to call the undersigned attorney of record.

Respectfully submitted,

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